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September 12, 2006

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Docket 06-119  
Ex parte communication pursuant to Section 1.1206.

Dear Ms. Dortch :

The National Emergency Number Association (“NENA”) hereby responds to the reply comments of others in the captioned proceeding.

AT&T (Reply Comments, 3-4) takes issue with NENA on three points: (1) Whether the FCC should require 9-1-1 System Service Providers (“SSPs”), usually ILECs, to analyze and report on vulnerabilities in the E-9-1-1 networks whose components and services they typically sell or lease to emergency communications authorities; (2) whether that analytical task belongs, in the first instance, to the SSP or the Public Safety Answering Point (“PSAP”); and (3) whether the TSP program is affordable for most PSAPs.<sup>1</sup>

AT&T cites itself as authority for the proposition that the vulnerability analysis is the PSAP’s responsibility, not the SSP’s. To be effective, the responsibility must be

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<sup>1</sup> The FCC has answered this question at [http://www.fcc.gov/hspc/TSP\\_PSAP\\_FAQ1.pdf](http://www.fcc.gov/hspc/TSP_PSAP_FAQ1.pdf) by acknowledging that the one-time and recurring costs are sufficiently high to cause PSAPs to cover only fractions of their lines.

shared. PSAPs can make inquiries or suggestions about diversity or final decisions on paying for additional diversity, but it is the SSP who best knows its own network and where it may have possible weak points within its network. AT&T points us to a Texas rule and claims that an FCC requirement would duplicate existing state authority. We are uncertain if the Texas rule covers comparable information and whether AT&T has filed such information in Texas (notwithstanding the AT&T security concerns noted below). Where a comparable state or local obligation on the SSP exists, NENA would not object to federal forbearance or appropriate state delegation. AT&T's concern about security for sensitive information is no reason to avoid compiling and analyzing the data.<sup>2</sup>

NRIC Best Practices<sup>3</sup> have consistently referred to the responsibility of network operators and service providers in supplying diversity and redundancy across the network. It is not clear to us why responsibility for reporting on the status of that diversity would not also fall on the network operators and service providers. NRIC Best Practices also mention the need for public safety authorities to review the implementation of such best practices with their providers. This is exactly what we are calling for; reporting by the network operators and service providers with a review process involving the Commission and public safety authorities.

US Telecom's echo of the above sentiments of one of its larger members could be ignored were it not for the irrelevant statement (Reply Comments, 9) that "ILECs do not own 911 networks but merely provide inputs for them." Emergency systems vary widely as to the leasing or ownership of components and facilities, but there can be little doubt that poor inputs from ILECs will produce poor outputs. Again, there is a paramount need here for cooperation, not buck-passing, between the SSP and the PSAP.

Respectfully submitted,

James R. Hobson  
Counsel for NENA

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<sup>2</sup> NENA's recommendation that the results of diversity planning be made available to leading public safety organizations was not a call for widespread publication. Outage reporting at the FCC is held confidential, and diversity plans can be as well, if necessary, subject to the usual device of non-disclosure agreements.

<sup>3</sup> NRIC stands for "Network Reliability and Interoperability Council," an FCC advisory committee whose two year-term is renewable and whose topics of study vary. [www.nric.org](http://www.nric.org).